

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TSADOK ZIZI,

Plaintiff,

v.

REPUBLIC MORTGAGE LLC, *et al.*,

Defendants.

Case No. 2:09-cv-02136-JCM-RJJ

ORDER

Before the court is Plaintiff Tsadok Zizi's Motion for a Temporary Restraining Order. (Doc. #27).

The original complaint in this matter was filed August 5, 2009, in Clark County District Court. On August 7, 2009, Zizi filed his First Amended Complaint. On November 6, 2009, Defendant Wells Fargo, N.A. ("Wells Fargo") removed the case to this Court.

On April 2, 2010, this Court dismissed the case, without prejudice, as to Defendants Republic Mortgage LLC, Nevada LLC, Master Financial, Inc., Franklin Credit Management Corporation, and National Default Servicing Corporation, pursuant to Federal Rule of Civil Procedure 4(m) for failure to file proof of service of process. (Doc. #19).

1 On April 20, 2010, the Court granted Wells Fargo's Motion to Dismiss without prejudice,
2 thereby disposing of the last remaining defendant. On the same day, the Clerk of the Court entered
3 judgment against Zizi and officially closed the case.

4 Nearly 17 months later, on September 15, 2011, Zizi filed an Amended Complaint (doc. #25),
5 Notice of Lis Pendens (doc. #26), and the instant Motion for Temporary Restraining Order (doc.
6 #27).

7 Given the Court's previous rulings dismissing this case without prejudice, Zizi's filings are in
8 error. If he wishes to proceed with his September 15, 2011 filings, he must file a new lawsuit. He
9 may not proceed by filing a new complaint in a matter that has been dismissed.

10 Accordingly,

11 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED**, that Tsadok Zizi's Motion
12 for a Temporary Restraining Order (doc. #27) be, and the same hereby is, **DENIED** as moot, with
13 leave to file under a new case number.

14 DATED this 15th day of September 2011.

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18 United States District Judge
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